

Appendix 1. The Housing Ombudsman's assessment of the Council's Complaint Policy and the proposed changes to the Complaint Policy.

Recommendation	Proposed change
Recommendation 1: The landlord should update its policy to confirm that it will give any resident that expresses dissatisfaction a choice to make a complaint.	3. What Is a Complaint? An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the council's own staff, or those acting on its behalf, affecting an individual or group of individuals. An individual does not need to use the word "complaint" for a matter to be treated as such. Wherever dissatisfaction is expressed, the Council will ensure the individual is given the opportunity and choice to have their concerns handled as a complaint under this policy. Complaints submitted by a third party or representative acting on behalf of an individual will be accepted and managed in accordance with the Council's Complaints Procedure.
Recommendation 2: The landlord should update its complaint policy to confirm that a complaint will not prevent / stall or impact on actions needed to resolve any immediate issues (i.e. the service request).	• Where there has been a failure to act, unreasonable delay, or where the customer remains dissatisfied after the service has been given a reasonable opportunity to resolve the matter, the issue may be considered a complaint. • A complaint may be raised at any point where dissatisfaction is expressed, including while a related service request is ongoing. Raising a complaint will not prevent or delay action being taken to address the underlying service request, which will continue in parallel with the complaint investigation.
Recommendation 3: The following exclusions should be amended: 1) Complaints about suitability of interim housing 2) Complaints about suitability of temporary accommodation and s.184 decisions (s.202 review). Disputes about the findings of s.202 review. Decisions about housing priority band. Housing medical decisions The landlord should not exclude complaints regarding the suitability	• Insurance claims and legal matters • The Council will not normally investigate matters that are subject to legal proceedings or that relate solely to insurance or compensation claims. This does not prevent the Council from considering complaints about service quality, delay, communication, or failure to follow procedure that are distinct from the insurance or legal claim. These matters are not treated as blanket exclusions.

of interim or temporary accommodation. For example due to access needs or tenant suitability. 3) Complaints about a registered housing provider The landlord should make this exclusion clearer so that residents are aware what it means by "housing provider". 4) Complaints about the merits of an insurance claim or matters that would be more appropriately considered by an insurer The landlord should ensure that complaints about insurance claims are not excluded as a blanket approach. Complaints related to the handling of an insurance claim or disputes about whether a landlord has followed its policies and procedures appropriately when handling a claim should be considered valid complaints. 5) Complaints under statutory obligations 6) Complaints that are criticisms or disagreement with council policy or decisions The landlord is responsible for investigating complaints about its housing services, this may include a review of whether the landlord has followed its own housing policies and procedures and therefore it should not exclude these types of complaints as a blanket approach.	• Matters outside the Council's remit • Issues where the Council has no legal power or duty to act, or where responsibility rests with another organisation. • Complaints about Council policy • This does not prevent a complaint that the Council has not followed its own policy.
Recommendation 4: The landlord should update its policy to confirm that it will provide an explanation to the resident when a complaint has not been accepted. Recommendation 5: The landlord should update its complaint policy to confirm that when it does not accept a complaint, they will provide confirmation to the resident of their right to take the decision to the Ombudsman.	Where the Council decides that an issue does not fall within the scope of this procedure, the reasons for this decision will be clearly explained to the individual and, where appropriate, they will be signposted to the relevant Ombudsman or alternative remedy.
Recommendation 6: The landlord should update its complaint policy to confirm it will consider resident requests to make its complaints policy available in accessible formats. The landlord may wish to provide examples of what reasonable adjustments it can provide	The Council is committed to providing an accessible complaints service and will make this policy available in alternative formats on request. Reasonable adjustments will be made where required to enable individuals to access and progress a complaint, including support to make a complaint verbally, accepting complaints through a representative or advocate, providing information in alternative languages or formats, and making adjustments to communication methods or timescales where appropriate.
Recommendation 7:	Acknowledgements at Stage 1 will confirm the Council's understanding of the complaint, the

The landlord should update its complaint policy to confirm its acknowledgements for stage 1 and 2 will include: - Their understanding of the complaint - The outcomes the resident is seeking - Which aspects they are and are not responsible for	outcomes the complainant is seeking, and which aspects are and are not within the Council's responsibility. Stage 2 complaints will normally be acknowledged within five working days of receipt. Acknowledgements at Stage 2 will confirm the Council's understanding of the complaint, the outcomes the complainant is seeking, and which aspects are and are not within the Council's responsibility.
Recommendation 8: The landlord should update its complaint policy to confirm that where a response to a complaint will fall outside the timescales set out in the Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint for both stage 1 and 2. Recommendation 9: The landlord should update its complaint policy to confirm that any stage 1 extensions must be no more than 10 working days without good reason.	Where a complaint is complex or requires input from more than one service area, the Council may need additional time to provide a full response. The Council will agree suitable intervals at which to keep the complainant informed of progress and will normally issue a full Stage 1 response no later than a further ten working days. Any Stage 1 extension will be applied only where there is good reason. Where it is not possible to meet the twenty-working-day response timescale, the Council will inform the complainant of the delay, clearly explain the reasons, and provide a revised response date. The Council will normally issue its Stage 2 response no later than a further twenty working days. Any Stage 2 extension will be applied only where there is good reason.
Recommendation 10: The landlord should update its policy to confirm it will provide a response when the answer is known, not when all outstanding actions are completed. Recommendation 11: The landlord should update its policy to confirm it will provide updates on outstanding actions.	Responses will be issued when the Council has reached a view on the complaint, even where not all identified actions have been completed. Where actions remain outstanding, the response will clearly set these out and provide appropriate updates on progress. Responses will be issued when the Council has reached its final position on the complaint, even if not all identified actions have been completed. Where actions remain outstanding, the response will clearly explain what these are and how the complainant will be kept updated.
Recommendation 12: The landlord should update its policy to confirm that it will incorporate any related additional complaints into a	Where additional related issues are raised during the Stage 1 investigation, the Council will confirm whether these issues can be reasonably addressed as part of the existing complaint, or whether they need to be logged

stage 1 response if it has not been issued. Recommendation 13: The landlord should update its policy to confirm that any new issues will be logged as a new complaint if the stage 1 response has been issued, the issues are unrelated or it would unreasonably delay the response.	separately. This will be explained clearly to the complainant.
Recommendation 14: The landlord should update its policy to confirm that a complaint can be progressed directly from stage 1 to stage 2, if all or part of the complaint is not resolved to the resident's satisfaction.	A Stage 2 review can be requested where the complainant remains dissatisfied with all or part of the outcome at Stage 1.
Recommendation 15: The landlord should update provision 10.2 to remove the typographical error and ensure it confirms that the person considering a stage 2 complaint, will not be the same person that considered the complaint at stage 1.	The person considering the complaint at Stage 2 will not be the same person who considered the complaint at Stage 1.
Recommendation 16: The landlord should update its complaint policy to confirm that any stage 2 extension must be no more than 20 working days without good reason. Recommendation 17: The landlord should update its complaint policy to confirm it will contact the resident following any stage 2 complaint extension and explain the rationale for their decision and the expected timescale for response.	Where it is not possible to meet the twenty-working-day response timescale, the Council will inform the complainant of the delay, clearly explain the reasons, and provide a revised response date. The Council will normally issue its Stage 2 response no later than a further twenty working days. Any Stage 2 extension will be applied only where there is good reason.
Recommendation 18: The landlord should update its policy to confirm it will provide a response when the answer is known, not when all outstanding actions are completed. Recommendation 19:	Responses will be issued when the Council has reached its final position on the complaint, even if not all identified actions have been completed. Where actions remain outstanding, the response will clearly explain what these are and how the complainant will be kept updated

The landlord should update its policy to confirm it will provide updates on outstanding actions.	
The landlord should ensure that its annual report also includes the following data and information: Observation 1: b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept Observation 2: e. any annual report about the landlord's performance from the Ombudsman	